

FEDERAL COMMUNICATIONS COMMISSION

Washington, D. C. 20554

NOV 27 2002

OFFICE OF
MANAGING DIRECTOR

Melodie A. Virtue
Garvey, Schubert, and Barer
Fifth Floor
Flour Mill Building
1000 Potomac Street, N.W.
Washington, D.C. 20007

Re: S.T.E.G. Broadcasting, LLC
2002 Annual Regulatory Fees
Fee Control No. 00000RROG-03-008

Dear Ms. Virtue:

This is in response to your request dated October 3, 2002, filed **on** behalf of S.T.E.G. Broadcasting, LLC (S.T.E.G.), for a waiver of the late charge penalty of \$313.75 for late payment of the fiscal year (FY) 2002 regulatory fees. **Our** records reflect that you have not paid the late charge penalty.

You state in the request that S.T.E.G. attempted to file the regulatory fee on a timely basis by sending executed Form 159 with the fee filing check to counsel via FedEx for delivery by 10:30 AM **on** the filing deadline, September 25, 2002, which counsel then intended to send by courier to the FCC later that day. **You** assert that FedEx lost the package, and because of this, that the late penalty should be waived. **As** we discuss below, however, we find that you did not meet your obligation to file your regulatory fee in a timely manner.

The Communications Act of 1934, as amended, requires the Commission to **assess** a late charge penalty of 25 percent **on** any regulatory fee not paid in a **timely** manner. It is the obligation of the licensees responsible for regulatory fee payments to ensure that the Commission receives the fee payment **no** later than the final date on which regulatory fees are due for the year. Accordingly, we find that S.T.E.G. has not met its obligation to file its regulatory fee in a timely manner. We therefore deny your request for a waiver of the late charge penalty for late payment of the fiscal year 2002 regulatory fee.

Payment of CCC's late penalty of \$313.75 is now due. The late charge penalty of \$313.75 should be submitted, together with a Form 159 (copy enclosed), within 30 days of the date of this letter. If you have any questions concerning **this** matter, **please contact** the Revenue & Receivables Operations Group at (202) 418-1995.

Sincerely,



 Mark Reger
Chief Financial Officer

Enclosure



000002206-03-008

WASHINGTON, DC OFFICE

fifth floor

flour mill building

1000 potomac street nw

washington, dc 20007-3501

TEL 202 965 7880 FAX 202 965 1729

OTHER OFFICES

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G A R V E Y S C H U B E R T B A R E R

A PARTNERSHIP OF PROFESSIONAL CORPORATION

October 3, 2002

OUR FILE NO
21088-00100-61

Federal Communications Commission
Regulatory Fees
P. O. Box 358835
Pittsburgh, PA 15251-5835

RE: 2002 Annual Regulatory Fees
S.T.E.G. Broadcasting, LLC

Dear Sir/Madam:

Transmitted herewith, on behalf of S.T.E.G. Broadcasting, LLC, is a check in the amount of \$1,165.00 in payment of the 2002 regulatory fees for Station KWPT(FM), Fortuna, California and associated auxiliary stations.

The required FCC Form 159 is enclosed.

Request for Waiver of Late Fee. S.T.E.G. attempted to file the regulatory fee payment on a timely basis. It sent the executed Form 159 with the fee filing check to counsel via FedEx (tracking no. 825 040 866 862) for delivery by 10:30 AM on Wednesday, September 25, 2002. Undersigned counsel then planned to send the filing by courier to the FCC's lockbox in Pittsburgh before the deadline passed on September 25, 2002.

By mid-afternoon of September 25th, the package had not arrived. We asked FedEx to place a trace on the package and were informed it was then in the air and should arrive by the morning of September 26, 2002. The licensee could not put the fee on its credit card as the amount would have then exceeded its credit limit.

When the FedEx package was not delivered by mid-day on the 26th, we contacted FedEx which informed us that the package had been lost. That package has not yet been found and S.T.E.G. had to send another check. A faxed explanation from FedEx is attached.

The FCC previously allowed applicants to demonstrate timely filing of time-sensitive window applications if they filed a receipt from the courier service. *See Public*

RECEIVED OCT 9 2002

please reply to MELODIE A. VIRTUE *mvirtue@gsblaw.com* TEL (202) 298-2527

October 3, 2002

Page 2

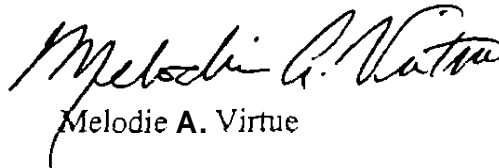
GW
S
B

G A R V E Y S C H U B E R T B A R E R

Notice, "Filing of Time Critical Feeable Applications," released May 9, 1990. While this situation **is** not exactly on point, the licensee did make the effort to file the regulatory fee on a timely basis. The fee would have been filed on time but for the failure of the courier service. **Thus**, we respectfully request that the Commission waive the **25%** late fee penalty.

Should **further** information be required regarding this matter, kindly communicate directly with this office.

Very truly yours,



Melodie A. Virtue

Enclosures

Cc: Office of the Managing Director
Federal Communications Commission
445 12th Street, SW, Room 1-A625
Washington, DC **20554**
Regulatory Fee Waiver/Reduction Request

MAVblr

READ INSTRUCTIONS CAREFULLY
BEFORE PROCEEDING

FEDERAL COMMUNICATIONS COMMISSION
REMITTANCE ADVICE

Approved by OMB
3060-0589

Page No 1 of 2

(1) LOCKBOX #

358835

SPECIAL USE

FCC USE ONLY

SECTION A - PAYER INFORMATION

(2) PAYER NAME (if paying by credit card, enter name exactly as it appears on your card)

S.T.E.G. Broadcasting, L.L.C.

(3) TOTAL AMOUNT PAID (U.S. Dollars and cents)

\$1,255.00

(4) STREET ADDRESS LINE NO. 1

c/o Garvey, Schubert & Barer

(5) STREET ADDRESS LINE NO. 2

1000 Potomac Street, NW, 5th Floor

(6) CITY

Washington

(7) STATE

DC

(8) ZIP CODE

20007

(9) DAYTIME TELEPHONE NUMBER (include area code)

202/965-7880

(10) COUNTRY CODE (if not in U.S.A.)

FCC REGISTRATION NUMBER (FRN) AND TAX IDENTIFICATION NUMBER (TIN) REQUIRED

(11) PAYER (FRN)

0004-9568-84

(12) PAYER (TIN)

0943370938

IF PAYER NAME AND THE APPLICANT NAME ARE DIFFERENT, COMPLETE SECTION B
IF MORE THAN ONE APPLICANT, USE CONTINUATION SHEETS (FORM 159-C)

(13) APPLICANT NAME

(14) STREET ADDRESS LINE NO. 1

(15) STREET ADDRESS LINE NO. 2

(16) CITY

(17) STATE

(18) ZIP CODE

(19) DAYTIME TELEPHONE NUMBER (include area code)

(20) COUNTRY CODE (if not in U.S.A.)

(21) APPLICANT (FRN)

(22) APPLICANT (TIN)

COMPLETE SECTION C FOR EACH SERVICE. IF MORE BOXES ARE NEEDED, USE CONTINUATION SHEET

(23A) CALL SIGN/OTHER ID

KWPT (FM)

(24A) PAYMENT TYPE CODE

0248

(25A) QUANTITY

1

(26A) FEE DUE FOR (PTC)

(27A) TOTAL FEE

925.00

FCC USE ONLY

(28A) FCC CODE 1

49308

(29A) FCC CODE 2

CA, Fortuna

(23B) CALL SIGN/OTHER ID

K274AM

(24B) PAYMENT TYPE CODE

0268

(25B) QUANTITY

1

(26B) FEE DUE FOR (PTC)

(27B) TOTAL FEE

320.00

FCC USE ONLY

(28B) FCC CODE 1

(29B) FCC CODE 2

SECTION D - CERTIFICATION

(30) CERTIFICATION STATEMENT

I, Greggory McMillion

, certify under penalty of perjury that the foregoing and supporting information is true and correct to

the best of my knowledge, information and belief.

SIGNATURE _____

DATE _____

SECTION E - CREDIT CARD PAYMENT INFORMATION

(31)

MASTERCARD/VISA ACCOUNT NUMBER:

☐ MASTERCARD

☐ VISA

I hereby authorize the FCC to charge my VISA or MASTERCARD for the service(s)/authorization herein described.

SIGNATURE _____

DATE _____

EXPIRATION



VIA FACSIMILE (202) 965-1729

September 27, 2002

Ms. Barbara Rascon
Melody Virtue
1000 Potomac Street NW
Washington, DC 20007

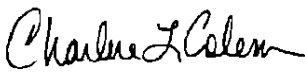
Dear **Ms.** Rascon:

We have received your request for information on the shipment sent from Angel City *Broadcasting* on tracking number 825040866862

This FedEx Priority Overnight Envelope was tendered to **us** on September 24 with **the** expectation **that** delivery would be completed no later than 10:30 a.m. on Wednesday, September 25. Unfortunately, the package did not arrive at the destination FedEx **office**, and we could not provide you with a proof of delivery or current status when you contacted **us** today. Research **is** being conducted; however, our personnel have been unsuccessful in locating the contents, which you have advised was a check and paperwork for the FCC. We know customers choose **us** for our reliability and it is always of great concern whenever something of this nature occurs.

Ms. Rascon, we extend our apologies to you and Mr. Mock for the difficulties caused by this loss. The trust your corporation has placed in **us** is valued. We look forward to serving you with more positive results in the future.

Sincerely,


Charlene L. Coleman
Customer Relations Department

clc/134560